IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.8488 OF 2004
WITH
WRIT PETITION NO. 8489 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr. P.S. Dani with Mr. K.S. Dewal for Petitioner.

Mr. R.M. P:ethe for Respondent Nos. 1 and 4.

CORAM : F.I. REBELLO,J.
DATED : JANUARY 13, 2005

P.C.

. Both these petitions can be disposed of by a common order.

. The interest of justice will be met if the petitions are disposed of by following order :

(1) The respondents, in the area disputed and claimed by the Petitioners, not to put up any construction pending the hearing and final disposal of the suit. This is without prejudice to the rights and contentions of the parties.

(2) The trial court to appoint Officer from the Land Survey Department as Commissioner to demarcate boundaries in between the properties in dispute by considering documents of both the parties.

(3) Considering the nature of controversy, suit be disposed of at any rate before 31.12.2006. Petitions stand disposed of accordingly. No order as to costs.

. P.A. to issue authenticated copy of this order.

(F.I. REBELLO,J.)